

#3

PATENT
Attorney Docket No. 48470

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
LI ET AL.

Group Art Unit: 2661

Application No. 09/864,101

Examiner: OLMS, DOUGLAS W.

Filed: May 23, 2001

For: METHOD AND APPARATUS FOR
COLLECTING STATISTICS FROM
ELEMENTS AT MULTIPLE COLLECTION
RATES

RECEIVED
APR 26 2002
OFFICE OF PETITIONS

PETITION TO CORRECT FILING DATE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants request the filing date be corrected to be -- 05/23/2001 -- in the above referenced application. Attached is a copy of the official filing receipt which improperly reads "05/24/2001". This patent application was filed in compliance of the Express Mail filing provisions of 37 CFR § 1.10 on May 23, 2001, and applicants hereby request the patent application be accorded this filing date, and a corrected filing receipt be sent to applicants' attorney of record.

In re LI ET AL.
Application No. 09/864,101

In support of applicants' request, the following documents are submitted herewith:

1) A true copy of the cover sheet of this patent application with an EXPRESS MAIL CERTIFICATE OF MAILING dated May 23, 2001, and signed by applicants' attorney by Kirk D. Williams, certifying that the application was deposited with the U.S. Postal Service's "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on May 23, 2001, in an envelope bearing Express Mail Label. No. EL759042795US, addressed to BOX PATENT APPLICATION, ASST COMMISSIONER FOR PATENTS, WASHINGTON DC 20231.

2) A true copy of application's UTILITY PATENT APPLICATION AND FEE TRANSMITTAL dated May 23, 2001, with an EXPRESS MAIL CERTIFICATE OF MAILING dated May 23, 2001, and signed by applicants' attorney by Kirk D. Williams, certifying that the application was deposited with the U.S. Postal Service's "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on May 23, 2001, in an envelope bearing Express Mail Label. No. EL759042795US, addressed to BOX PATENT APPLICATION, ASST COMMISSIONER FOR PATENTS, WASHINGTON DC 20231.

3) A true copy of Express Mail Receipt No. EL759042795US, showing that the application package was received by U.S. Postal Station 80210 at 1:16 p.m. on May 23, 2001.

In re LI ET AL.
Application No. 09/864,101


Applicants believe that no fee is due as this petition is being filed to correct a USPTO error. However, the Commissioner is authorized any fee due in connection with this communication to Deposit Account No. 501430.

Moreover, the Commissioner is hereby generally authorized under 37 C.F.R. § 1.136(a)(3) to treat this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 requiring an extension of time as incorporating a request therefore, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time. The Commissioner is hereby authorized to charge payment of any fee due any under 37 C.F.R. §§ 1.16 and § 1.17 associated with this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 or credit any overpayment to Deposit Account No. 501430.

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: April 24, 2002

By



Kirk D. Williams, Reg. No. 42,229
One of the Attorneys for Applicants
CUSTOMER NUMBER 26327
The Law Office of Kirk D. Williams
1234 S. OGDEN ST., Denver, CO 80210
303-282-0151 (telephone), 303-778-0748 (facsimile)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/864,101	05/24/2001	2661	1290	48470	7	30	8

26327

THE LAW OFFICE OF KIRK D. WILLIAMS
1234 S. OGDEN ST.
DENVER, CO 80210

MAY 23, 2001

CONFIRMATION NO. 2452

FILING RECEIPT



OC000000006331519

Date Mailed: 07/23/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Weidong Li, Saratoga, CA;
Sanjeev S. Ukhalkar, Fremont, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 07/23/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Method and apparatus for collecting statistics from elements at multiple collection rates

Preliminary Class

370

RECEIVED
APR 26 2002
OFFICE OF PETITIONS

Data entry by : ALHAIDARI, KHAIRIA

Team : OIPE

Date: 07/23/2001

UNITED STATES PATENT APPLICATION
FOR

METHOD AND APPARATUS FOR
COLLECTING STATISTICS FROM ELEMENTS AT MULTIPLE COLLECTION RATES

INVENTORS:

WEIDONG LI
12260 COUNTRY SQUIRE LN, SARATOGA, CA 95070, A CITIZEN OF CANADA

SANJEEV S. UKHALKAR
45485 RUTHERFORD TERRACE, FREMONT, CA 94539, A CITIZEN OF INDIA

PREPARED BY:
THE LAW OFFICE OF KIRK D. WILLIAMS
1234 S. OGDEN ST.
DENVER, CO 80210
303-282-0151

RECEIVED

APR 26 2002

OFFICE OF PETITIONS

EXPRESS MAIL CERTIFICATE OF MAILING

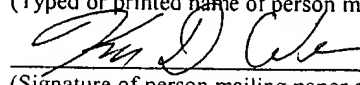
"Express Mail" mailing label number: EL759042795US

Date of Deposit: May 23, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to BOX PATENT APPLICATION, ASST COMMISSIONER FOR PATENTS, WASHINGTON DC 20231.

Kirk D. Williams

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

5/23/01
(Date signed)

UTILITY PATENT APPLICATION AND FEE TRANSMITTAL

ADDRESS TO:

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Attorney Docket No. **48470**

First Named Inventor **Weidong Li**

Title: **Method And Apparatus For Collecting
Statistics From Elements at Multiple
Collection Rates**

Express Mail No. **EL759042795US**

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Info. included herein
2. ☐ Applicant is entitled to and hereby claims Small Entity Status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 16 + Cover Sheet]
4. ☒ Formal Drawings [Total Sheets 7]
5. ☒ Combined Declaration and Power of Attorney [Total Pages 2]
 - a. ☒ Newly executed
 - b. ☐ Copy from prior application
[Note Box 6 below]
 - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
6. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-ROM in duplicate (Program or Table)

9. ☒ **NONPUBLICATION REQUEST:**
 - a. **THIS APPLICATION IS NOT TO BE PUBLISHED UNDER 35 U.S.C. 122(b)**
 - b. **CERTIFICATION:** The invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

ACCOMPANYING APPLICATION PARTS

10. ☒ Assignment Papers
11. ☐ 37 CFR 3.73(b) Statement
12. ☐ English Translation Document
13. ☐ Information Disclosure Statement (IDS)
 - ☐ PTO-1449 Form
 - ☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard
16. ☐ Certified Copy of Priority Document(s)
17. ☐ Other:

17. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application Serial No. _____
Prior application: Examiner _____ Group / Art Unit: _____

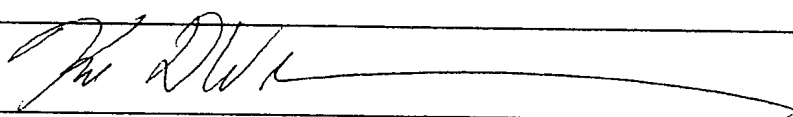
APPLICATION FEES

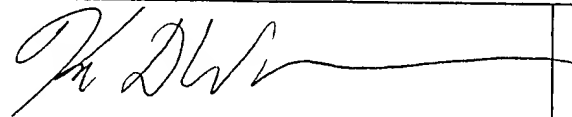
BASIC FEE				Large Entity	\$710
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	30 - 20 =	10	x \$18		\$180
Independent Claims	8 - 3 =	5	x \$80		\$400
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable				+ \$270	\$
Total of above calculations =					\$1290
<input checked="" type="checkbox"/> Assignment fee if applicable				+ \$40.00	\$40
TOTAL =					\$1330

RECEIVED
APR 26 2002
OFFICE OF PETITIONS

UTILITY PATENT APPLICATION AND FEE TRANSMITTAL

Attorney Docket No. 48470

18.	<input type="checkbox"/>	Please charge my Deposit Account No. 501430 in the amount of \$
19a.	<input checked="" type="checkbox"/>	Check No. 2089 in the amount of \$1290 is enclosed.
19b.	<input checked="" type="checkbox"/>	Check No. 2090 in the amount of \$40 is enclosed.
20.	The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 501430:	
a.	<input checked="" type="checkbox"/>	Fees required under 37 CFR 1.16.
b.	<input checked="" type="checkbox"/>	Fees required under 37 CFR 1.17.
c.	<input type="checkbox"/>	Fees required under 37 CFR 1.18.
21.	<input checked="" type="checkbox"/>	The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time.
22. CORRESPONDENCE ADDRESS		
CUSTOMER NUMBER: 26327 Kirk D. Williams, Esq. The Law Office of Kirk D. Williams 1234 S. OGDEN ST. DENVER, CO 80210 Telephone: 303-282-0151 Facsimile: 303-265-9946		
Name	Kirk D. Williams	
Signature		
Date	May 23, 2001	

Certificate of Mailing Under 37 C.F.R. 1.10		
I hereby certify that this Utility Patent Application and Fee Transmittal and all accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 C.F.R. 1.10 on the date indicated below with "Express Mail" mailing label number EL759042795US addressed to: Box PATENT APPLICATION, ASST COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.		
Kirk D. Williams, Esq. Reg. No. 42,229		May 23, 2001
Name of Person Signing	Signature	Date



POST OFFICE TO ADDRESSEE



EL 758042755

UNITED STATES POSTAL SERVICE

ORIGIN (POSTAL USE ONLY)

Zip Code 80210	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date 5/23/01	Time <input checked="" type="checkbox"/> 11:00 AM <input type="checkbox"/> 12:00 PM <input type="checkbox"/> 3:00 PM	Postage \$1.00
Weight 8.1	Int'l Alpha Country Code 000	Return Receipt <input type="checkbox"/>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials 78	Total Postage & Fees \$1.00

SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE	
WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested with delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee) (addressee's agent can be in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.	
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Customer Signature [Signature]

CUSTOMER USE ONLY

METHOD OF PAYMENT

Express Mail Corporate Acct. No. X802322-48470

Federal Agency Acct. No. or Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE

LAW OFFICE OF KIRK D WILLIAMS

1234 S OGDEN ST

DENVER CO 80210-1713

48470

TO: (PLEASE PRINT)

PHONE

BOX PATENT APPLICATION

ASST COMMISSIONER FOR PATENTS

WASHINGTON DC 20231-0001

20231-0001

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



Customer Copy
Label 11-F August 2000